

(b) *Multiple award schedules (MAS)*. Insert 552.243-72, Modifications (Multiple Award Schedule), in MAS solicitations and contracts issued by GSA. For solicitations and contracts issued under Federal Supply Classification (FSC) 65 you may use the clause with its Alternate I for products ordered from authorized Prime Vendors.

## PART 546—QUALITY ASSURANCE

### Subpart 546.3—Contract Clauses

Sec.

546.302 Fixed-price supply contracts.

546.302-70 Source inspection by Quality Approved Manufacturer.

546.302-71 Source inspection.

546.312 Construction contracts.

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### Subpart 546.7—Warranties

546.708 Warranties of data.

546.710 Contract clauses.

AUTHORITY: 40 U.S.C. 486(c).

SOURCE: 64 FR 37228, July 9, 1999, unless otherwise noted.

### Subpart 546.3—Contract Clauses

**546.302 Fixed-price supply contracts.**

**546.302-70 Source inspection by Quality Approved Manufacturer.**

For contracts and solicitations issued by FSS:

(a) Insert the clause at 552.246-70, Source Inspection by Quality Approved Manufacturer, in solicitations and contracts that provide for source inspection, except:

(1) Multiple award schedule contracts.

(2) Motor vehicle contracts.

(3) Contracts awarded by the FSS Services Acquisition Center, unless you decide, together with the Central Office Quality Assurance Division (FQA), that inspection by Government personnel is necessary.

(b) You may authorize inspection and testing at manufacturing plants or other facilities located outside the United States, Puerto Rico, or the Virgin Islands, under paragraph (a)(1) of

the clause at 552.246-70 under any of the circumstances listed in this paragraph. Coordinate the authorization with FQA and document it in the file.

(1) Inspection services are available from another Federal agency with primary inspection responsibility in the geographic area.

(2) An inspection interchange agreement exists with another agency for inspection at a contractor's plant.

(3) The procurement is for the Agency for International Development and specifies the area of source.

(4) Other considerations will ensure more economical and effective inspection consistent with the Government's interest.

### 546.302-71 Source inspection.

For solicitations and contracts issued by FSS, if Government personnel at the source will perform inspection, insert 552.246-71, Source Inspection by Government.

### 546.312 Construction contracts.

Insert the clause at 552.246-72, Final Inspection and Tests, in solicitations and contracts for construction that include FAR 52.246-12, Inspection of Construction.

### Subpart 546.4—Government Contract Quality Assurance

**546.470-2 Certification testing.**

Certification testing determines whether an item conforms with a specification for the purpose of executing a certificate of compliance required by the specification. The contractor has responsibility for certification testing.

### Subpart 546.7—Warranties

**546.708 Warranties of data.**

(a) Use warranties of data only when you meet both of the following conditions:

(1) You decide the use of a warranty is in the Government's interest.

(2) The contracting director concurs in your decision.

(b) The technical or specification manager has responsibility for developing any warranties of data.

**546.710 Contract clauses.**

(a) Insert the clause at 552.246-17, Warranty of Supplies of a Noncomplex Nature, instead of FAR 52.246-17 in solicitations and contracts. Use the following alternates as applicable:

(1) *Commercial item acquisitions other than multiple award schedules.* Use the clause at 552.246-17 with its Alternate I.

(2) *Other than commercial items in Class 8010.* Use the clause at 552.246-17 with its Alternate II.

(3) *Other than commercial items in Class 8030 or 8040.* Use the clause at 552.246-17 with its Alternate III. In addition, specify in the solicitation whether the items are "noncritical end use items" or "critical end use items".

(b) *Multiple award schedules.* Insert the clause at 552.246-73, Warranty—Multiple Award Schedule, in solicitations and contracts.

(c) *Construction contracts expected to exceed the simplified acquisition threshold.* Insert the clause at 552.246-75, Guarantees, in solicitations and contracts.

(d) *Pesticides.* Insert the clause at 552.246-76, Warranty of Pesticides, in solicitations and contracts involving the procurement of pesticides.

[64 FR 37228, July 9, 1999, as amended at 65 FR 11248, Mar. 2, 2000]

**PART 547—TRANSPORTATION****Subpart 547.3—Transportation in Supply Contracts**

Sec.

547.300 Scope of subpart.

547.303 Standard delivery terms and contract clauses.

547.303-1 F.o.b origin.

547.304 Determination of delivery terms.

547.304-5 Exceptions.

547.305 Solicitation provisions, contract clauses, and transportation factors.

AUTHORITY: 40 U.S.C. 486(c).

SOURCE: 64 FR 37229, July 9, 1999, unless otherwise noted.

**Subpart 547.3—Transportation in Supply Contracts****547.300 Scope of subpart.**

This subpart applies to FSS acquisitions.

**547.303 Standard delivery terms and contract clauses.****547.303-1 F.o.b origin.****CONTRACTOR RESPONSIBILITIES**

The contractor must both:

(a) Request a carrier routing from the applicable transportation zone office on all shipments weighing 10,000 pounds or more.

(b) Mail the original of the commercial bill of lading (CBL), to the office that authorized the CBL (applies to shipment on a CBL). Ensure that the signature of the carrier's agent and the annotation required by FAR 52.247-1 appear on the original and all copies of the CBL.

**547.304 Determination of delivery terms.****547.304-5 Exceptions.**

(a) *Solicitations that provide for delivery to Alaska, Hawaii, or Puerto Rico.* Include notice that the offeror may specify delivery f.o.b. origin; f.o.b. vessel, part of shipment; f.o.b. destination; or any combination of these. If appropriate, provide for other delivery terms.

(b) *Federal Supply Schedules.* If f.o.b. destination is offered for delivery within CONUS, attempt to obtain the same delivery term for shipment to Alaska, Hawaii, or Puerto Rico.

**547.305 Solicitation provisions, contract clauses, and transportation factors.**

(a) Insert 552.247-70, Placarding Railcar Shipments, in solicitations and contracts if it is essential that the railcar doors be especially positioned next to the unloading dock, platform, or warehouse door.

(b) Insert 552.247-71, Diversion of Shipment Under f.o.b. Destination Contracts, in Stock, Special Order Program (SOP), and Single Award Schedule solicitations and contracts which provide for f.o.b. destination shipment.

**PART 549—TERMINATION OF CONTRACTS**

AUTHORITY: 40 U.S.C. 486(c).

SOURCE: 64 FR 37229, July 9, 1999, unless otherwise noted.